

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

Patricia J. Gibson,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 3:06-CV-974-MEF
)	
WestPoint Stevens, Inc., and)	
WestPoint Home, Inc.,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO COMPEL DISCOVERY

COME NOW the Defendants WestPoint Stevens, Inc. ("WPS") and WestPoint Home, Inc. ("WPH") (collectively "WestPoint" or "Defendant"), pursuant to Rules 26, 33, 34, 36 and 37, and for the reasons set forth in the accompanying Memorandum supporting this Motion, asks the Court to compel the Plaintiff to immediately provide complete disclosures under Rule 26(a)(1), to compel the Plaintiff to immediately respond to WestPoint's First Interrogatories and First Request for Production of Documents and Things, to deem WestPoint's First Requests for Admissions as admitted, and to grant WestPoint reasonable costs and attorney fees in bringing this Motion.

Dated this 23rd day of April, 2007.

Respectfully submitted,

/s/ Fred W. Suggs, Jr.

Fred W. Suggs, Jr.

(ASB-3587-G61F)

OGLTREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
300 North Main Street (29601)
Post Office Box 2757
Greenville, South Carolina 29602
Telephone: (864) 271-1300
Facsimile: (864) 235-4754
Fred.Suggs@ogletreedeakins.com

James C. Pennington (ASB-1287-N62J)
OGLTREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.
One Federal Place
1819 5th Avenue North, Suite 1000
Birmingham, Alabama 35203-2118
Telephone: (205) 328-1900
Facsimile: (205) 328-6000
James.Pennington@odnss.com

CERTIFICATION

I, Fred W. Suggs, Jr., counsel for Defendants, certify that I have, in good faith, conferred with Plaintiff's counsel in an attempt to secure the disclosures under Rule 26(a)(1), and responses to WestPoint's written discovery referenced in this Motion and the accompanying supporting Memorandum.

Respectfully submitted,

/s/ Fred W. Suggs, Jr.
Fred W. Suggs, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2007, I electronically filed the foregoing **Defendants' Motion to Compel Discovery** with the Clerk of the Court using the CM/ECF system, which will

send notification of such filing to the following:

Lateefah Muhammad

Respectfully submitted,

/s/ Fred W. Suggs, Jr.

Fred W. Suggs, Jr.

4890924.1